



US Army Corps
of Engineers
Alaska District

Regulatory Branch (1145b)
8800 Glacier Highway
Suite 106
Juneau, Alaska 99801-8079

Public Notice of Application for Permit

PUBLIC NOTICE DATE: June 21, 2004
EXPIRATION DATE: August 5, 2004
REFERENCE NUMBER: POA-1997-245-N
WATERWAY NUMBER: Berners Bay 4

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States as described below and shown on the attached plan.

APPLICANT: Goldbelt, Incorporated, 9097 Glacier Highway, Juneau, Alaska 99801-8033.

LOCATION: Cascade Point, at the north end of Echo Cove, within Section 32, Township 36 South, Range 63 East, Copper River Meridian; near Juneau, Alaska; USGS Quadrangle Juneau C-3; Longitude 134°56'15.986" West, Latitude 58°41'55.878" North.

WORK: The applicant proposes to place a structure and to discharge dredged and fill materials into waters and navigable waters of the United States in conjunction with the construction of a moorage facility at Cascade Point.

Approximately 23,000 cubic yards of material would be dredged from within an approximate 70,000 square foot area below the High Tide line (HTL). All dredging would occur from a barge. Dredged material would be stockpiled, segregated, transported and placed in the breakwater with the use of a large shovel mounted on a barge. The fill material from the upland source would be clean gravel and rock, free from petroleum products

Approximately 29,000 cubic yards of fill material would be discharged below the HTL to construct a breakwater, measuring approximately 125-foot wide by 425-foot long.

A moorage structure consisting of approximately 20 pilings, supporting a 120-foot long rigid dock, an 80-foot long gangway, and a 100-foot long float would be constructed.

Approximately 6,000 cubic yards, would originate from an upland quarry site.

PURPOSE: The purpose of the project would be to provide safe moorage of tour vessels during all tidal stages, and a miner's ferry shuttle within the Berners Bay area.

ADDITIONAL INFORMATION: An approximate 2.5-mile road extension to this area was permitted under COE file POA-1997-245 [Berners Bay 4]. A time extension for conducting the work was extended until March 2006. For additional information, please contact the applicant's representative, Mr. Eric Klepfer, Earthworks Technology, directly at (208) 769-5924.

MITIGATION: None.

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until a certification or waiver of certification, as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

COASTAL ZONE MANAGEMENT ACT CERTIFICATION: Section 307(c)(3) of the Coastal Zone, Management Act of 1972, as amended by 16 U.S.C. 1456(c)(3), requires the applicant to certify that the described activity affecting land or water uses in the Coastal Zone complies with the Alaska Coastal Management Program. A permit will not be issued until the Office of Management and Budget, Division of Governmental Coordination has concurred with the applicant's certification.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRS) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There are no listed or eligible properties in the vicinity of the worksite. Consultation of the AHRS constitutes the extent of cultural resource investigations by the District Engineer at this time, and he is otherwise unaware of the presence of such resources. This application is being coordinated with the State Historic Preservation Office (SHPO). Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

ENDANGERED SPECIES: The project area is within the known or historic range of the Stellar Sea Lion and the Humpback Whale. Preliminarily, the described activity will not affect threatened or endangered species, or their critical habitat designated as endangered or threatened, under the Endangered Species Act of 1973 (87 Stat. 844). This application is being coordinated with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. Any comments they may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

ESSENTIAL FISH HABITAT: The proposed work is being evaluated for possible effects to Essential Fish Habitat (EFH) pursuant to the Magnuson Stevens Fishery Conservation and Management Act of 1996 (MSFCMA), 16 U.S.C. *et seq* and associated Federal regulations found at 50 CFR 600 Subpart K. The Alaska District includes areas of EFH as Fishery Management Plans. We have reviewed the January 20, 1999, North Pacific Fishery Management Council's Environmental Assessment to locate EFH area as identified by the National Marine Fisheries Service (NMFS).

We have determined that the described activity within the proposed area will not adversely affect EFH, including Anadromous fish and Federally managed fishery resources.

This Public Notice initiates consultation requirements with the NMFS under the MSFCMA. We have insufficient information at this time to assess the cumulative effects of the proposed work on EFH, but cumulative effects will be considered in our final assessment of the described work. Any conservation recommendations regarding EFH for Federally managed fish will also be considered in our final assessment of the described work. This proposed project might also adversely affect associated species such as major prey or predator species, which are not covered by Fishery Management Plans.

SPECIAL AREA DESIGNATION: None.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all those factors that become relevant in each particular case. The benefits that reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision should reflect the national concern for both protection and utilization of important resources. All factors that may be relevant to the proposal must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact Mr. John C. Leeds, III, at (907) 790-4490, or by e-mail at john.c.leeds@poa02.usace.army.mil if further information is desired concerning this notice.

AUTHORITY: This permit will be issued or denied under the following authorities:

(X) Perform work in or affecting navigable waters of the United States - Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403).

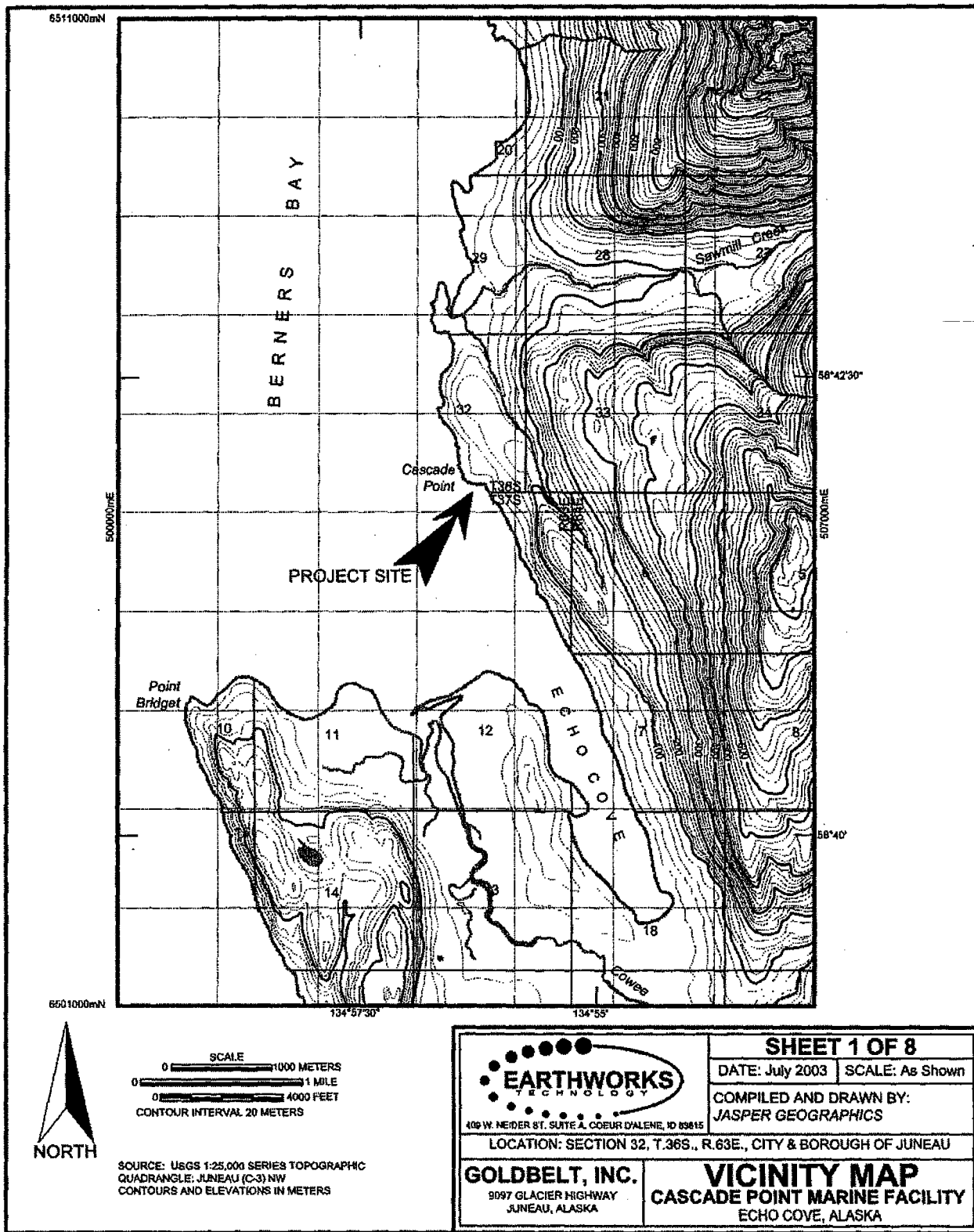
(X) Discharge dredged or fill material into waters of the United States - Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

() Transport dredged material for the purpose of dumping it into ocean waters - Section 103 Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1413). Therefore, our public interest review will consider the criteria established under authority of Section 102(a) of the Marine Protection, Research and Sanctuaries Act of 1972, as amended (40 CFR Parts 220 to 229), as appropriate.

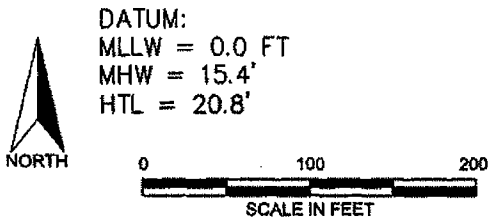
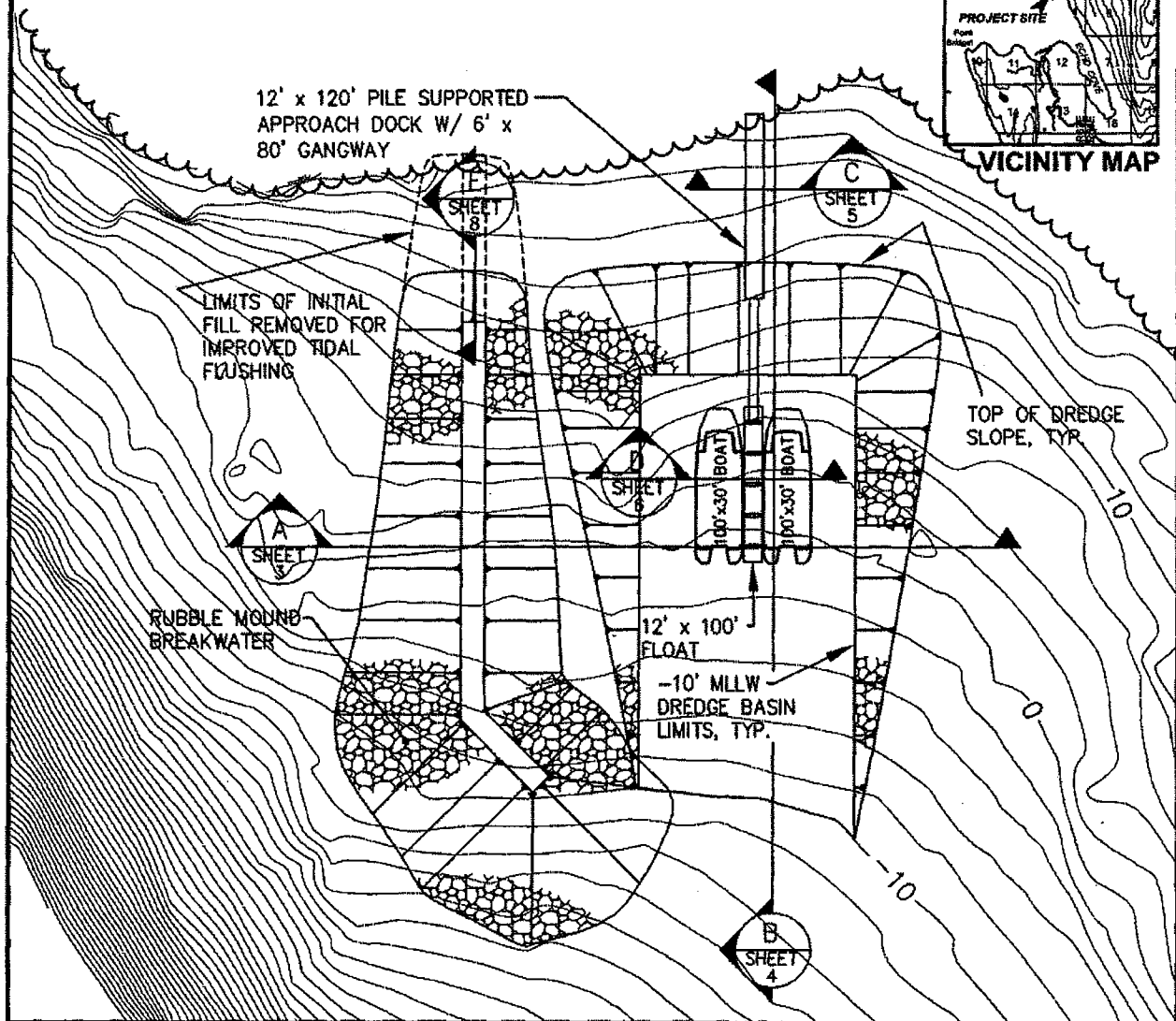
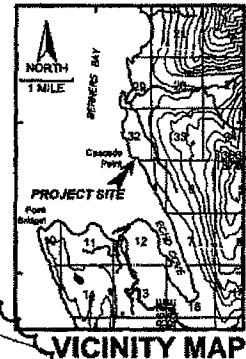
A plan, Notice of Application for Certification of Consistency with the Alaska Coastal Management Program, and Notice of Application for State Water Quality Certification are attached to this Public Notice.

District Engineer
U.S. Army, Corps of Engineers

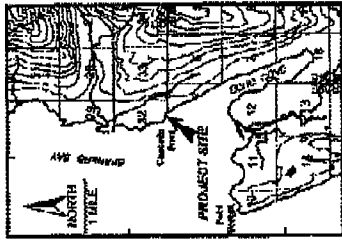
Attachment



RUBBLE MOUND MATERIAL TOTAL = 33,000 CUBIC YARDS
 RUBBLE MOUND MATERIAL BELOW HTL = 29,000 CUBIC YARDS
 RUBBLE MOUND MATERIAL BELOW MHW = 24,500 CUBIC YARDS
 RUBBLE MOUND FOOT PRINT = 1.3 ACRES
 DREDGE BASIN MATERIAL = 23,000 CUBIC YARDS
 DREDGE BASIN FOOT PRINT = 1.6 ACRES



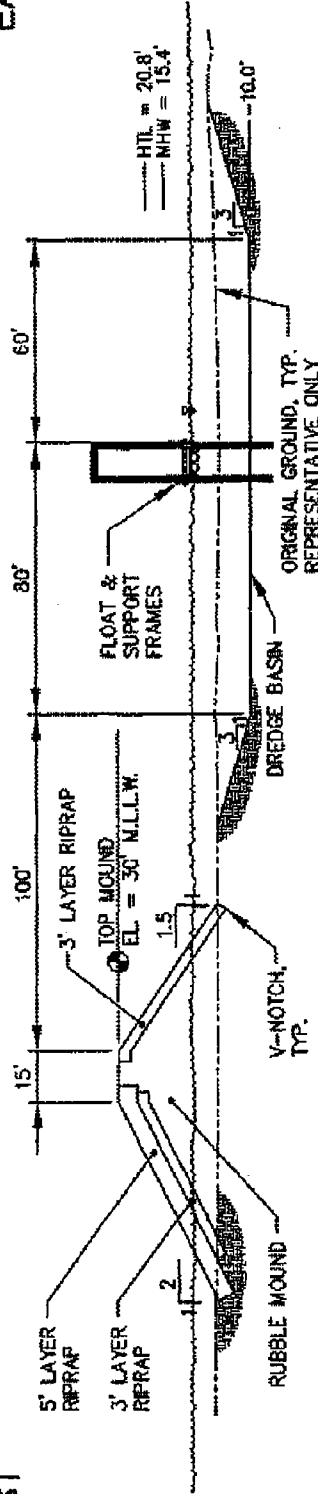
 409 W. HENDER ST. SUITE A, COEUR D'ALENE, ID 83815		SHEET 2 OF 8 DATE: July 2003 SCALE: 1"=100' DESIGN BY: PERATROVICH, NOTTINGHAM & DRAGE, INC. COMPILED BY: JASPER GEOGRAPHICS	
LOCATION: SECTION 32, T.38S., R.63E., CITY & BOROUGH OF JUNEAU			
GOLDBELT, INC. 9087 GLACIER HIGHWAY JUNEAU, ALASKA		SITE MAP CASCADE POINT MARINE FACILITY ECHO COVE, ALASKA	



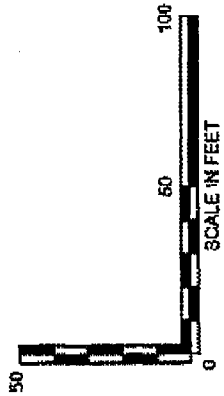
VICINITY MAP

EAST

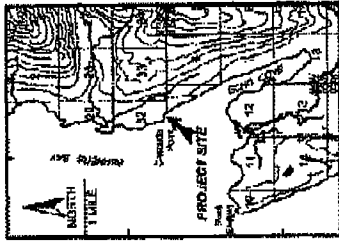
WEST



TYPICAL SECTION

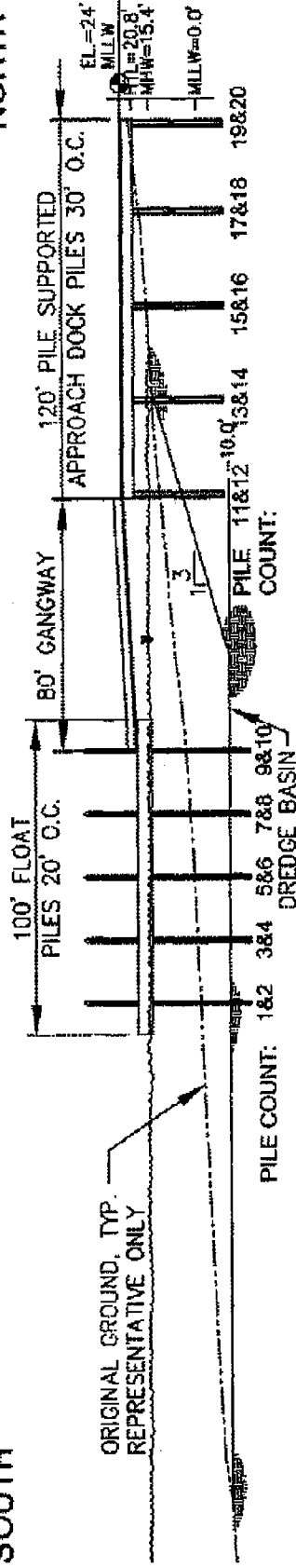


EARTHWORKS TECHNICAL SERVICES		SHEET 3 OF 8
DATE: July 2003	SCALE: 1"=50'	
DESIGN BY: PERATRIONCH, NOTTINGHAM & URBAN, INC.		
COMPILED BY: JASPER GEOGRAPHICS		
LOCATION: SECTION 32, T.36S., R.63E., CITY & BOROUGH OF JUNEAU		
SECTION A		
GOLDBELT, INC.		
2007 GLACIER HIGHWAY		
JUNEAU, ALASKA		
ECHO COVE, ALASKA		

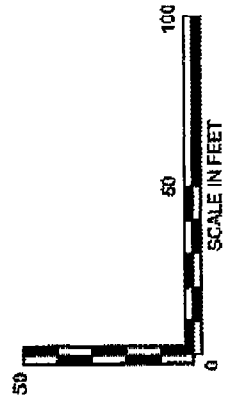


SOUTH

NORTH



TYPICAL SECTION



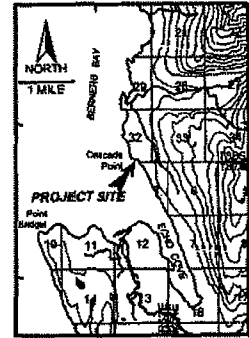
EARTHWORKS 750 N. 6th St. Suite 100 Juneau, Alaska 99801		SHEET 4 OF 8	
DATE: July 2003		SCALE: 1"=50'	
DESIGN BY: PERATONIGH NOTTINGHAM & DRAKE, INC.		COMPILED BY: JASPER GEOGRAPHICS	
LOCATION: SECTION 32, T. 36S., R. 63E., CITY & BOROUGH OF JUNEAU		SECTION B	
GOLDBELT, INC. 9007 GLACIER HIGHWAY JUNEAU, ALASKA		CASCADE POINT MARINE FACILITY ECHO COVE, ALASKA	

WEST

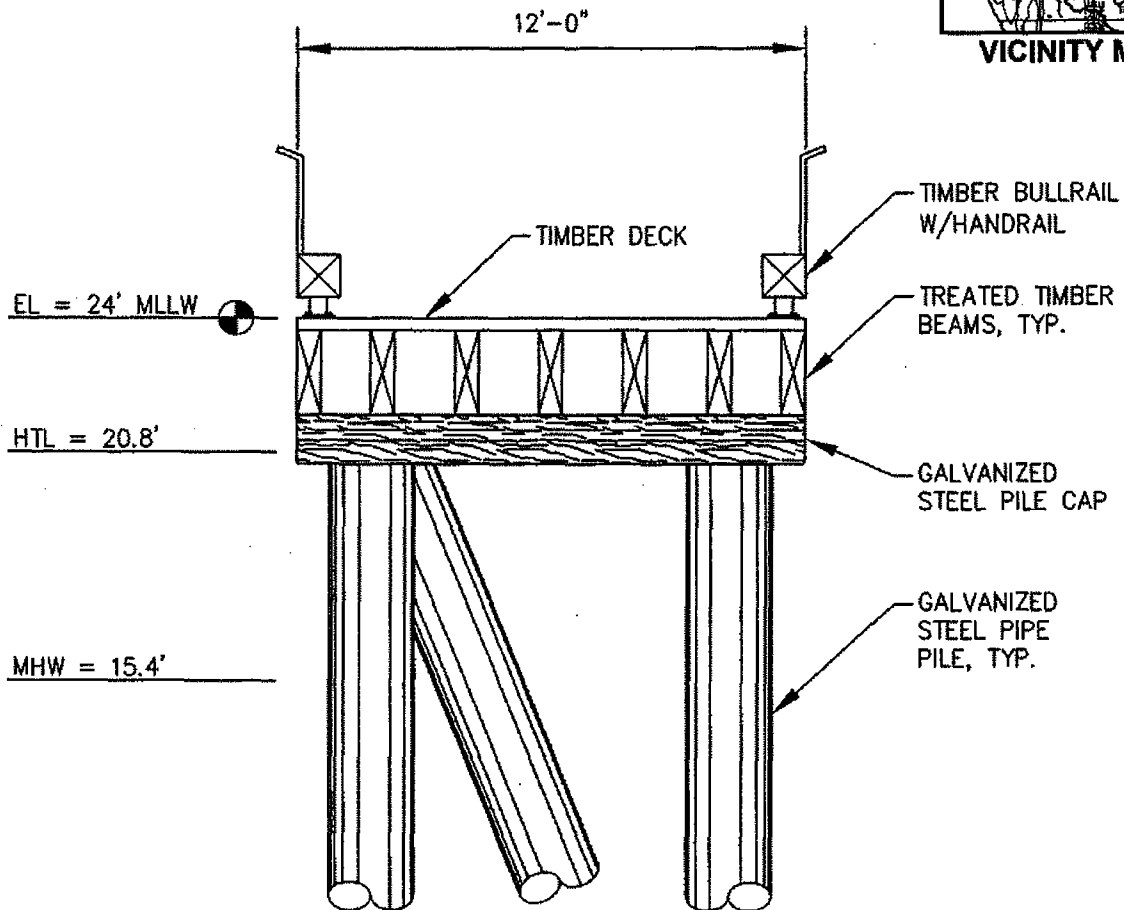
EAST




TYPICAL APPROACH SECTION



VICINITY MAP

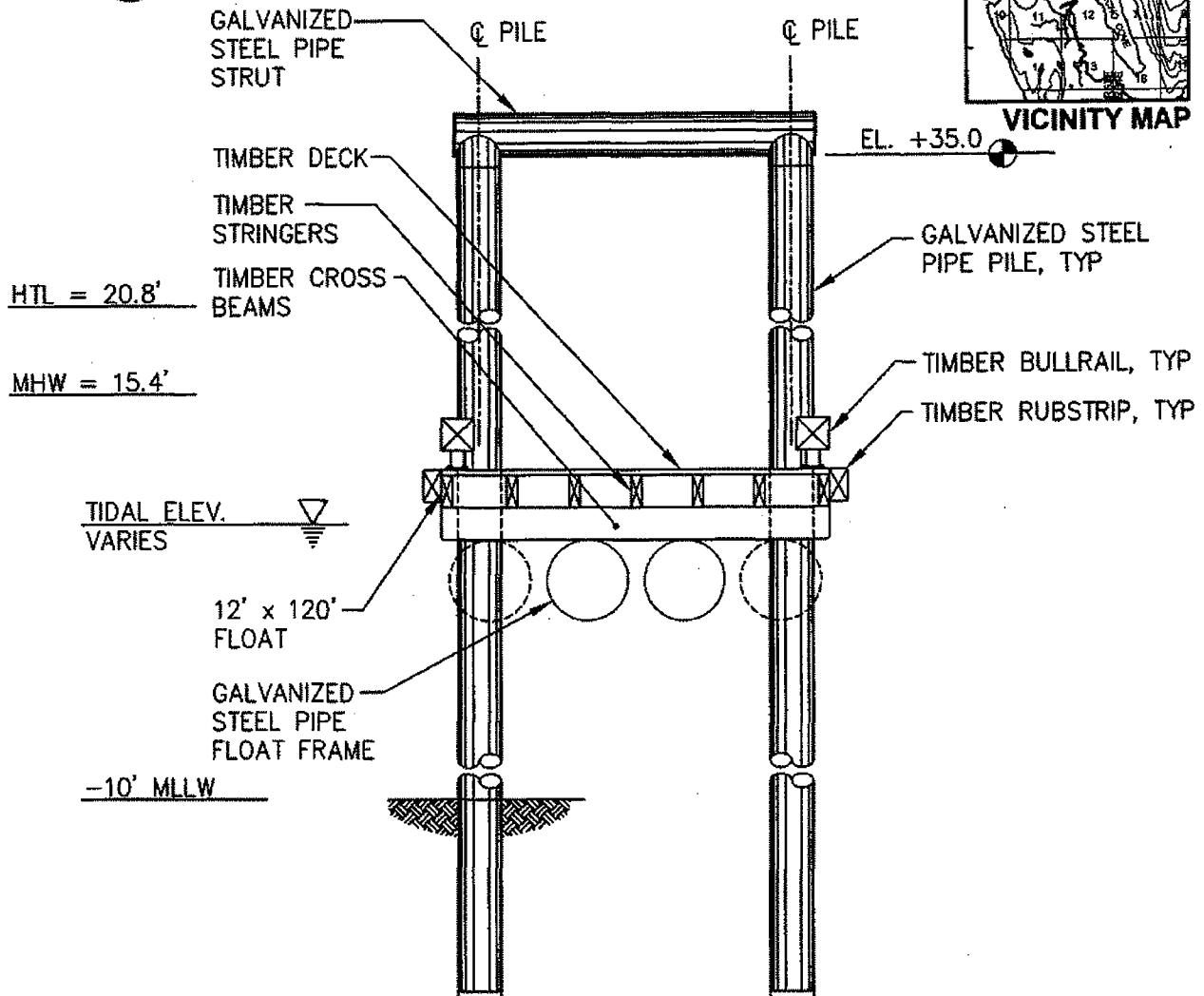


 408 W. NEIDER ST. SUITE A, COEUR D'ALENE, ID 83815	SHEET 5 OF 8	
	DATE: July 2003	SCALE: 1"=4'
	DESIGN BY: PERATROVICH, NOTTINGHAM & DRAGE, INC.	
	COMPILED BY: JASPER GEOGRAPHICS	
LOCATION: SECTION 32, T.36S., R.63E., CITY & BOROUGH OF JUNEAU		
GOLDBELT, INC. 9097 GLACIER HIGHWAY JUNEAU, ALASKA	TYP. APPROACH SECTION CASCADE POINT MARINE FACILITY ECHO COVE, ALASKA	

WEST

EAST

D TYPICAL FLOAT SECTION
LOOKING NORTH



408 W. NEIDER ST. SUITE A, COEUR D'ALENE, ID 83815

LOCATION: SECTION 32, T.36S., R.63E., CITY & BOROUGH OF JUNEAU

GOLDBELT, INC.
8097 GLACIER HIGHWAY
JUNEAU, ALASKA

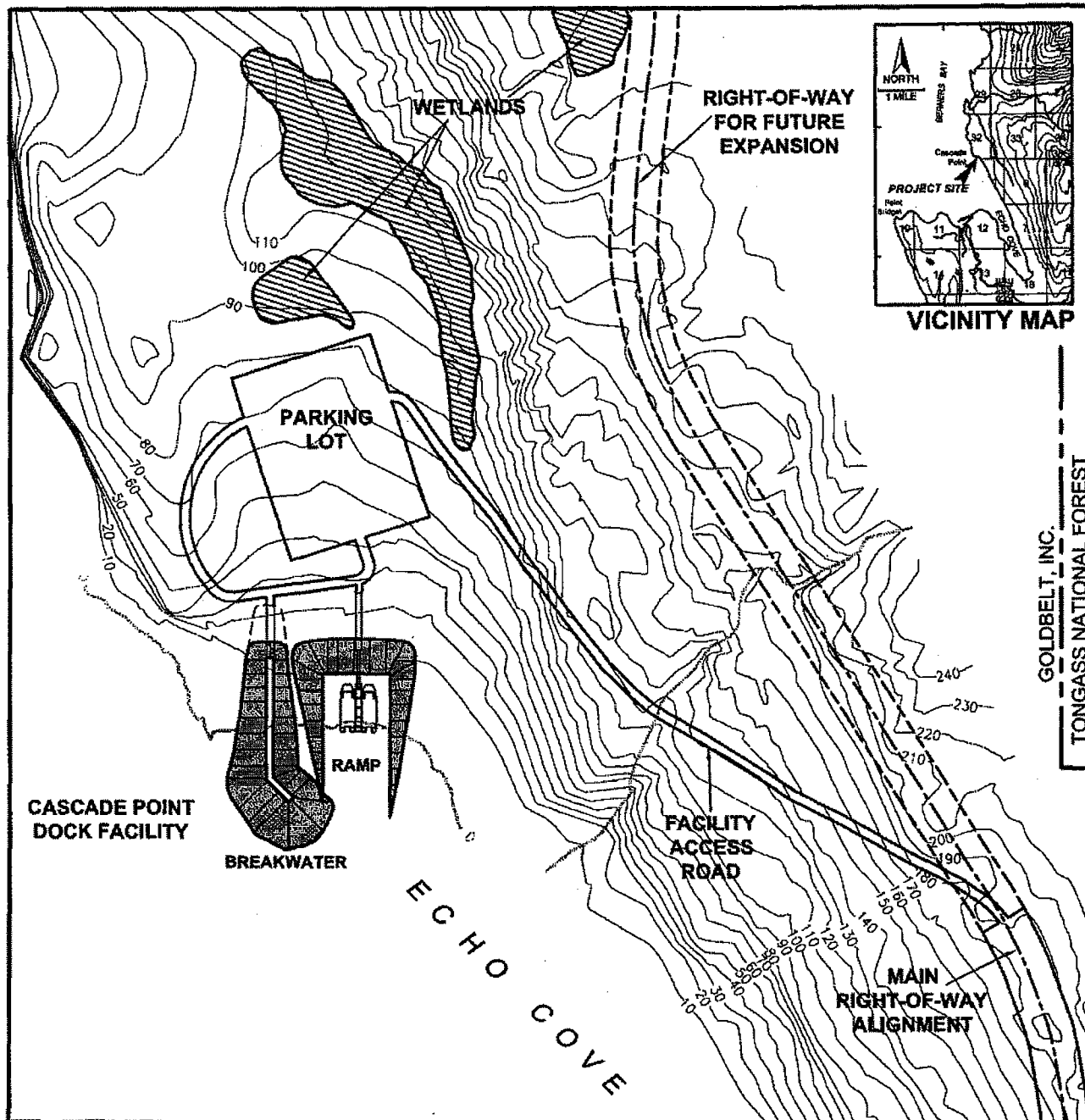
SHEET 6 OF 8

DATE: July 2003 SCALE: 1"=5'

DESIGN BY: PERATROVICH, NOTTINGHAM & DRAKE, INC.

COMPILED BY: JASPER GEOGRAPHICS

TYPICAL FLOAT SECTION
CASCADE POINT MARINE FACILITY
ECHO COVE, ALASKA



0 300 R
SCALE



409 W. NEIDER ST. SUITE A, COEUR D'ALENE, ID 83815

LOCATION: SECTION 32, T.36S., R.63E., CITY & BOROUGH OF JUNEAU

GOLDBELT, INC.
9097 GLACIER HIGHWAY
JUNEAU, ALASKA

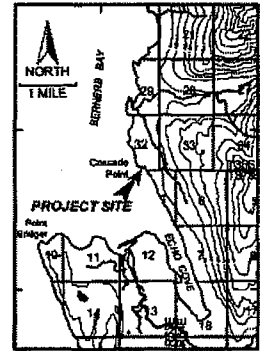
SHEET 7 OF 8

DATE: July 2003 SCALE: 1"=300'

DESIGN BY: PERATROVICH, NOTTINGHAM & DRAGE, INC.

COMPILED BY: JASPER GEOGRAPHICS

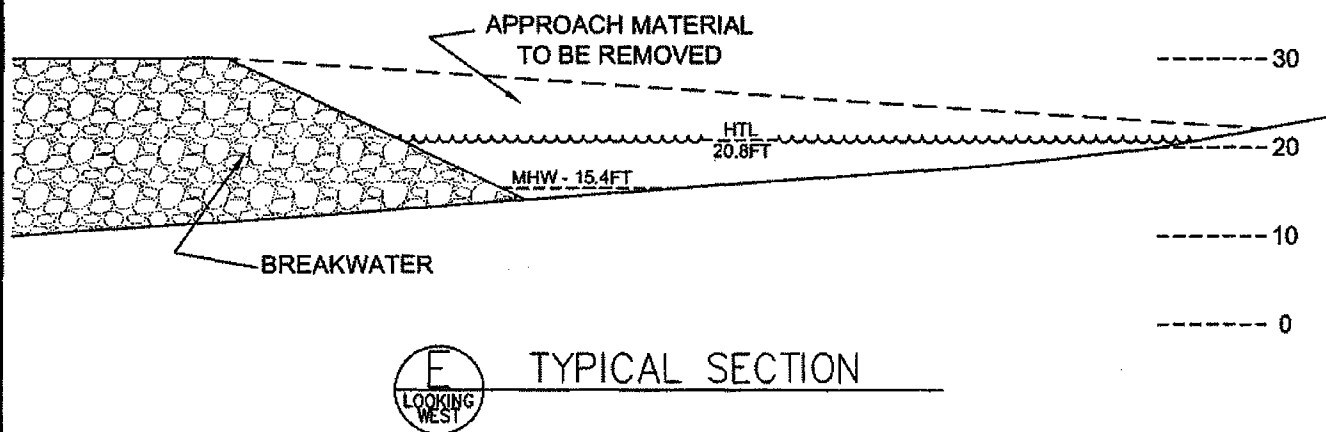
PROJECT FACILITY LAYOUT
CASCADE POINT MARINE FACILITY
ECHO COVE, ALASKA



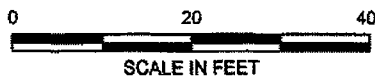
VICINITY MAP

SOUTH

NORTH



DATUM:
MLLW = 0.0 FT
MHW = 15.4'
HTL = 20.8'



409 W. NEIDER ST. SUITE A, COEUR D'ALENE, ID 83815

LOCATION: SECTION 32, T.36S., R.63E., CITY & BOROUGH OF JUNEAU

GOLDBELT, INC.

9097 GLACIER HIGHWAY
JUNEAU, ALASKA

SHEET 8 OF 8

DATE: July 2003 SCALE: 1"=20'

DESIGN BY: PERATROVICH, NOTTINGHAM
& DRAGE, INC.

COMPILED BY: JASPER GEOGRAPHICS

SECTION E
CASCADE POINT MARINE FACILITY
ECHO COVE, ALASKA

FRANK H. MURKOWSKI, GOVERNOR

STATE OF ALASKA

OFFICE OF THE GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
OFFICE OF PROJECT MANAGEMENT AND PERMITTING

OFFICE OF PROJECT MANAGEMENT AND PERMITTING
302 GOLD STREET, SUITE 202
JUNEAU, ALASKA 99801-1127
PHONE: (907) 465-3562/FAX: (907) 465-3075

NOTICE OF APPLICATION
FOR
CERTIFICATION OF CONSISTENCY WITH THE
ALASKA COASTAL MANAGEMENT PROGRAM

Notice is hereby given that a request is being filed with the Office of Project Management and Permitting for a consistency determination, as provided in Section 307(c)(3) of the Coastal Zone Management Act of 1972, as amended [16 U.S.C. 1456(c)(3)], that the project described in the Corps of Engineers Public Notice No. **POA-1997-245-2 (Berners Bay 2)**, will comply with the Alaska Coastal Management Program and that the project will be conducted in a manner consistent with that program.

This project is being reviewed for consistency with the Alaska Coastal Management Program. Written comments about the consistency of the project with the applicable ACMP statewide standards and district policies must be submitted to the Office of Project Management and Permitting. For information about this consistency review, contact OPMP at (907) 269-7470 or (907) 465-3562, or visit the ACMP web site at <http://www.gov.state.ak.us/gdc/Projects/projects.html>.

FRANK H. MURKOWSKI, GOVERNOR

STATE OF ALASKA

OFFICE OF THE GOVERNOR

DEPT. OF ENVIRONMENTAL CONSERVATION

DIVISION OF AIR AND WATER QUALITY

Non-Point Source Control Section

401 Certification Program

NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. By agreement between the U.S. Army Corps of Engineers and the Department of Environmental Conservation, application for a Department of the Army permit to discharge dredged or fill material into navigable waters under Section 404 of the Clean Water Act also may serve as application for State Water Quality Certification.

Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No. **POA-1997-245-2 (Berners Bay 2)**, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

After reviewing the application, the Department may certify that there is reasonable assurance that the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

Any person desiring to comment on the project with respect to Water Quality Certification may submit written comments within 30 days of the date of the Corps of Engineer's Public Notice to:

Department of Environmental Conservation
WQM/401 Certification
555 Cordova Street
Anchorage, Alaska 99501-2617
Telephone: (907) 269-7564
FAX: (907) 269-7508

Attachment 2